HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 270 (S/S) 2001
(Old no. 30069 of 2000)

1. J.S. Rawat,
   Lab Assistant (Chemistry),
   Govt. Post Graduate College, Uttarkashi,
2. Fateh Singh Matura,
   Lab Assistant (Zoology),
   Govt. Post Graduate College, Uttarkashi,
3. Dr. Hari Shanker Nautiyal,
   Lab Assistant (Geography),
   Govt. Post Graduate College, Uttarkashi,
4. Ratan Singh Rawat,
   Lab Assistant (Botany),
   Govt. Post Graduate College, Uttarkashi,
5. Shiv Lal,
   Lab Assistant (Botany),
   Govt. Post Graduate College, Uttarkashi,
6. Baswanand Mamgain,
   Lab Assistant (Physics),
   Govt. Post Graduate College, Uttarkashi,
7. Parmanand Nautiyal,
   Lab Assistant (Physics),
   Govt. Post Graduate College, Uttarkashi,
8. Ratan Lal Shah,
   Lab Assistant (Chemistry),
   Govt. Post Graduate College,
   Uttarkashi, ----------Petitioner.

Vs.

1. The State of U.P. through its
   Secretary (Higher Education),
   Civil Secretariat, Lucknow,
2. Director of Education (Higher),
   16, Sarojini Naidu Magr, Allahabad,
3. Principal,
   Govt. Post Graduate College,
   Uttarkashi. ----------Respondents.

Sri Sushil Vashishtha, learned counsel for the petitioners.
Learned Standing Counsel for respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri Sushil Vashishtha, learned counsel for the petitioners and learned Standing Counsel who has accepted notice on behalf of the respondents.

By means of this writ petition, the petitioners who are working as Lab Assistants in the Govt. Post Graduate College, Uttarkashi have prayed to issue a writ, order or direction in the nature of mandamus directing the respondent no. 1 to grant pay-scale of Rs. 5,000-8,000(Rs. 1400-2600 w.e.f. 01.01.1986) at par with the Lab Assistants working in the Garhwal University. Further that the respondent no. 1 be directed to provide promotional avenues to the Lab Assistants working in the Govt. Post Graduation College.

Submission of the petitioners is that they are working as Lab Assistants in Govt. Post Graduate College, Uttarkashi which is affiliated to the H.N. Bahuguna Garhwal University. The college where the petitioners are working is the Govt. College and is affiliated to the Garhwal University, but the Lab Assistants of the College are not being paid the same pay-scale which is being paid to the Lab Assistants working in the Garhwal University. The nature and responsibility of the work of the Lab Assistant of Post Graduate College, Uttarkashi as well as the Garhwal University is identical. Several representations were made to the Director of Higher Education in this regard and the Director of Higher Education had forwarded the matter to Secretary, Human Resources and Development (Higher Education), Uttaranchal Govt., Dehradun with strong recommendation vide its letter no. 110219/2001-2002 dated 10.01.2002.

During the course of argument, leaned counsel for the petitioners has confined his prayer that the respondents be

directed to decide their representation taking into consideration the recommendation made by the Director of Higher Education dated 10.01.2002.

The prayer is innocuous.

Accordingly, I direct the petitioners to submit their representation to the Secretary, Human Resources and Development (Higher Education), Uttaranchal Govt., Dehradun within a period of 10 days from today alongwith a certified copy of this order and the Secretary is directed to consider and decide the representation within six weeks from the date of receipt of the representation alongwith certificate copy of this order.

With these directions, the writ petition is finally disposed of.

(M.M. Ghildiyal, J.)

August 17, 2005:
NCM: